

REMARKS

This Application has been carefully reviewed in light of the Official Action mailed March 30, 2005. In order to advance prosecution of the present Application, Claims 1, 8, 12, 15-18, 20, and 24 have been amended. Applicant respectfully requests reconsideration and favorable action in this Application.

Claims 15-18 stand objected to for minor informalities. Claims 15-18 have been amended to address the informalities identified by the Examiner.

Claims 1, 2, 4-7, 10-12, and 14-27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Jardin in view of Gidwani. Independent Claims 1, 12, 20, and 24 recite in general the ability to use a first and second algorithm during a communication session in order to provide secure communications. By contrast, neither the Jardin nor Gidwani patents disclose a capability to change from one encryption/decryption algorithm to another during a communication session as provided in the claimed invention. Support for the above recitation can be found at page 9, lines 2-6, of Applicant's specification. Therefore, Applicant respectfully submits that Claims 1, 2, 4-7, 10-12, and 14-27 are patentably distinct from the proposed Jardin - Gidwani combination.

Applicant notes with appreciation the allowability of Claims 8 and 9 if placed into independent form. Claim 8 has been amended into independent form as suggested by the Examiner. Therefore, Applicant respectfully submits that Claims 8 and 9 are in condition for allowance.

With the presentation of a new independent claim, an additional filing fee is due. Attached herewith is a check made payable to the "Commissioner of Patents and Trademarks"

ATTORNEY DOCKET NO.
062891.0426

PATENT APPLICATION
09/752,073

11

in an amount of \$200.00 to satisfy the excess independent
claims fee of 37 C.F.R. \$1.16(b).



CONCLUSION

Applicant has made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other apparent reasons, Applicants respectfully request full allowance of all pending claims.

The Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.

Attorneys for Applicants

Charles S. Fish

Reg. No. 35,870

June 30, 2005

CORRESPONDENCE ADDRESS:

2001 Ross Avenue, Suite 600

Dallas, TX 75201-2980

(214) 953-6507

Customer Number: 05073